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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,521	04/03/2006	Bernard Longuet	L7307,06103	7023
24257	7590	07/10/2008		
STEVENS DAVIS LLP 1615 L STREET NW SUITE 850 WASHINGTON, DC 20036			EXAMINER BITAR, NANCY	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 07/10/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/574,521

**Applicant(s)**

LONGUET ET AL.

**Examiner**

NANCY BITAR

**Art Unit**

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. The rejection of claims 1-7 is withdrawn in view of the preliminary amendment that cancels claims 1-7 and adds claims 8-14. Examiner mistakenly gave a ground of rejection for the original claims 1-7 where the preliminary amended (canceling claims 1-7 and adding claims 8-14) was filed on the same date 04/03/2006. Therefore, the rejection is withdrawn. Claims 8-14 are pending note that Examiner will address amended claims 8-14 dated 04/10/2008.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rutt et al ( EP 0447080) in view of Claus et al ( US 7,133,067).

As to claim 8, Rutt et al. teaches a method for formation, on a display stationed at a fixed post (PT), of successive images (s) of a scene (S) towards which a flying body (M) is moving while rotating about its longitudinal axis (L-L), said flying body (M) communicating with said fixed post (PT) by virtue of a communication link, a picture-taking apparatus being fixed rigidly to the front of said flying body (M), in such a way that said apparatus turns with said flying body (M) about said longitudinal axis (L-L) said method comprising:

Art Unit: 2624

taking with said apparatus, during each revolution of the rotation of said flying body (M) about said longitudinal axis (L-L) ( figure 1, column 2, lines 53- column 3, lines 1-4) , several pictures of said scene (S) each corresponding to a predetermined angular position of said flying body about said longitudinal axis, so that the contours (C) of said pictures are inclined in mutually differing manners and so that, in each picture, the image (s) of said scene (S) and said contour (C) occupy a relative position which depends on said corresponding predetermined angular position of said flying body (M) and which is different from that of the other pictures ( the optical system 6 may be mounted with its optics axis at an angle to the longitudinal axis of the reconnaissance device and the reconnaissance device made deliberately to rotate so as to enable a larger area to be viewed, column 3 lines 13-20);

determining, among said pictures, a reference picture (Vo) in which said relative position between the image (s) of the scene (S) and the contour (C) is considered to be a relative reference position; applying in each picture, other than the reference picture, a geometrical image transformation processing to the image (s) of said scene (S) so that the relative position of the transformed image of said scene with respect to the contour is similar to said relative reference position ( column 2, lines 53-column 3, lines 1-4);

and displaying said reference picture and said pictures having undergone said geometrical image transformation processing successively on said display (3) ( column 2, lines 53- column 3, lines 1-4). While Rutt et al meets a number of the limitations of the claimed invention, as pointed out more fully above, Rutt fails to specifically teach that that relative position depends on a predetermined angular position of the flying body.

Specifically, Claus et al. teaches digitally stabilizing an image recording with a CCD sensor, which is mounted in a moving or airborne carrier, for substantially eliminating unwanted movement influences of flight movements of the carrier on the image quality of the image recorded by the CCD sensor. The method includes the steps of: detecting an image with the CCD sensor and outputting image data; detecting the flight movements of the carrier as angular data with an inertial sensor and the inertial sensor being adapted to supply the angular data with a time delay; and, correcting the image data in accordance with the detected angular data with the image data being time delayed by a time interval relative to the detected angular data. It would have been obvious to one of ordinary skill in the art to use the angular data in Rutt et al. in order to get stabilization accuracy and an increase in the performance. Therefore, the claimed invention would have been obvious to one of ordinary skill in the art at the time of the invention by applicant.

The limitation of claim 9 has been addressed above.

As to claim 10, Rutt in view of Claus teaches the system as claimed in claim 9, of wherein said control unit that controls the picture-taking apparatus comprises a gyroscopic system mounted on board said flying body (M) and sensitive to the rotation of the latter contour of its longitudinal axis (L-L) (column 2, lines 53- column 3, lines 1-4, see also inertial sensor, 2 in figure 1 of Claus et al.).

As to claim 11, Rutt et al teaches the system as claimed in claim 9, wherein said processor is stationed at the fixed post (PT) (note that the reconnaissance device may be stabilized against spinning by means of subsidiary drogues, or by winglets which are deployed at

the same time as the parachute 13, column 3, lines 10-14, see also Claus et al figure 1 and column 2, lines 28-63).

As to claim 12, teaches the system as claimed in claim 11, wherein a link between said picture-taking apparatus and said image processing means (6) processor is effected by said link between said flying body (M) and said fixed post (PT) ( see claim 1).

4. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rutt et al. in view of Claus et al ( US 7,133,067) and further in view of Holder Donald et al ( US 4637571)

As to claim 13, Holder Donald et al teaches the system as claimed in claim 10, wherein the sequencing of the operation of said processor is controlled by said gyroscopic system (4) by way of said link between said flying body (M) and said fixed post (PT) ( column 1, lines 52-column 2, lines 2; column 4, lines 5-8; and claim 1, and figure 2).It is obvious to the person skilled in the art to control the gyro with respect to a link between the flying body and the fixed post in Rutt system in order to receive a stable guidance signal indicative of true pitch and yaw LOS of the missile with respect to the target, while the undesirable vibrational and rotational signals are eliminated.

5. Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rutt et al in view of Claus et al and further in view of Alhstroem Lars et al ( US 4,796834)

While Rutt et al. meets a number of the limitations of the claimed invention, as pointed out more fully above, Rutt et al. fails to specifically teach the an illumination unit, mounted on board said flying body (M) for lighting said scene (S). Specifically, Ahlstroem et al teaches a projectile in a burst is provided with an illumination source which is activated by a target detector at the end of the projectile trajectory wherein the source selectively illuminates the

target and its closest surroundings with radiation for which the target tracking device in other projectiles is sensitive. A following projectile corrects its trajectory toward the target. All projectiles in a burst can be provided with an illumination source which is activated at the end of the trajectory as a guidance aid for following projectiles (see claim 1). It would have been obvious to one of ordinary skill in the art to illuminate the scene in Rutt in order to improve the accuracy where the target tracking devices in these projectiles can more easily discover the target. Therefore, the claimed invention would have been obvious to one of ordinary skill in the art at the time of the invention by applicant.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NANCY BITAR whose telephone number is (571)270-1041. The examiner can normally be reached on Mon-Fri (7:30a.m. to 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew W. Johns/  
Primary Examiner, Art Unit 2624

Nancy Bitar

07/03/2008